



04/16/04

3627#

41

PATENT
57111-5098

IN THE PATENT AND TRADEMARK OFFICE

In Re Patent Application Of: Gordon Michael WIRAM Serial No.: 09/777,722 Filing Date: February 5, 2001 For: POINT OF SALE SYSTEM	Group Art Unit: 3627 Examiner: Steven B. McAllister CERTIFICATE OF EXPRESS MAILING I hereby certify that this correspondence and identified enclosures are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 and is addressed to: Mail Stop Fee Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on April 14, 2004 Express Mail Label No. EV272831326US by <u>Bobbie Jean Corbin</u> Bobbie-Jean Corbin
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Mail Stop Fee Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir/Madam:

Attached are the following:

- 1) Amendment and Response to Office Action;
- 2) Response to Requirement for Information under 37 C.F.R. 1.105;
- 3) Fee Transmittal;
- 4) Check No. 004962064 in the amount of \$568.00; and
- 5) Return Postcard.

Respectfully submitted,

Date:

4/14/04

STEVEN R. HANSEN
Registration No. 39,214

JEFFER, MANGELS, BUTLER & MARMARO LLP
1900 Avenue of Stars, Seventh Floor
Los Angeles, CA 90067
(310) 203-8080

RECEIVED
APR 21 2004
GROUP 36

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 568.00

Complete if Known

Application Number 09/777,722
 Filing Date February 5, 2001
 First Named Inventor Gordon Michael WIRAM
 Examiner Name Steven B. McAllister
 Art Unit 3627
 Attorney Docket No. 57111-5098

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

 Deposit
 Account
 Number
 Deposit
 Account
 Name

10-0440

Jeffer, Mangels, Butler & Marmaro LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
52	-30** = 22	18	396
Independent Claims	7	-5** = 2	172
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)				

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)					0

SUBMITTED BY

Name (Print/Type)

Steven R. Hansen

Registration No.
(Attorney/Agent)

39,214

(Complete if applicable)

Telephone (310) 203-8080

Signature

Date

April 14, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Gordon Michael WIRAM

Serial No.: 09/777,722

Filed: February 5, 2001

For: POINT OF SALE SYSTEM

Art Unit: 3627

Examiner: Steven B. McAllister

Mail Stop Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 and is addressed to: Mail Stop Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 14, 2004, Express Mail Label No. EV272831326US, by Bobbie-Jean Corbin
Bobbie-Jean Corbin

RESPONSE TO REQUIREMENT FOR INFORMATION UNDER 37 C.F.R 1.105

I the undersigned, GORDON MICHAEL WIRAM, submit this response to the Examiner's requirement for information on behalf of myself and on behalf of U-Haul International, Inc. ("U-Haul"), the assignee of the present application, and state as follows:

1. I am the inventor of the present invention and am employed by U-Haul. I am authorized to respond to the Examiner's requirement for information on behalf of U-Haul.

2. I have made a reasonable and diligent effort to obtain information responsive to the Examiner's requirement for

Response to Requirement for
Information Under 37 C.F.R. 1.105.

-1-

Appl. No. 09/777,722
Atty. Docket No. 57111-5098
Customer No. 24574

information. Set forth below is the information which was obtained as a result of my efforts. The information is organized according to the three topics listed in the Office Action, dated January 14, 2004.

3. The submission of this response is not intended as an admission that the information contained herein constitutes prior art against the claims of the present application. U-Haul does not waive any rights to take any action which would be appropriate to remove as a competent reference any activities or publications that are determined to constitute prima facie prior art against the claims of the present application.

A. Any information regarding applicant's or assignee's public use of a computerized reservation system prior to February 5, 2000 in which the system has any claimed elements of the invention.

4. Prior to February 5, 2000, a Personal Computer ("PC") based Point of Sale system was in use by U-Haul and certain U-Haul dealers. Although the system was implemented on personal computers and/or computer networks, it was not connected or coupled to an internet server, and thus, was not available through the internet. This PC-based system included a rental feature having a customer information section and a payment section, a reservation feature having a customer information section and an equipment information section, and a payment section, having a cash section, check section and credit card section. The PC-based system further included a transfer feature

having an equipment information section, a reporting feature comprising a closing report, a reservation report, an inventory report, an equipment due report and a refund report, as well as a marketing section having a marketing message relating to the moving equipment rental business. In addition, the PC-based system included a customer information section that stored and recalled customer information, as well as an equipment information section that stored and recalled information pertaining to a transaction. It also included a rental feature with a printable rental agreement.

5. The PC-based system was not directly used by U-Haul's customers. Instead, U-Haul, U-Haul owned and operated stores, or U-Haul's dealers would input information provided by customers into the system.

6. At no time prior to February 5, 2000 did U-Haul or U-Haul's dealers publicly use a point of sale system containing any of the presently claimed features which was coupled to an internet server or available via the internet.

B. Any information regarding any computerized reservation system used by any entity other than the assignee prior to February 5, 2001 in which the system had any claimed element of the invention.

7. It is my understanding that Budget and Ryder used a PC-based reservation/rental program prior to February 5, 2001. Whether the respective programs were used by the public as opposed to internally by Budget and Ryder personnel is unknown

and not readily available to U-Haul or myself. However, I further understand that neither system was coupled to an internet server or available via the internet. Both the Ryder and Budget programs included the following features: a rental feature with a payment section, a reservation feature with a payment section, a returned equipment section, a closing report, an inventory report, and a reservation report. The Ryder system included a reservation report. Whether the Budget system included such a report is unknown and not readily available to U-Haul or myself. It is my understanding that neither the Budget nor Ryder systems included an equipment transfer function, a status reporting function, or a feature which recalls stored customer and equipment information and then processes a rental transaction.

8. It is my understanding that a company called Solutions by Computer had a rental business software program for use by contractors or general rental stores prior to February 5, 2001. However, the specific functionality of the software is unknown and not readily available to U-Haul or myself.

C. Any non-patent literature known by the applicant or assignee discussing any computerized reservation system having any element of the claimed invention published prior to February 5, 2001.

9. It is unknown and not readily available to U-Haul or myself whether any non-patent literature that is responsive to this request exists. However, two publications, "Rental Management" and "Rental Equipment Register" may have relevant information. Neither U-Haul nor I have copies of these publications which contain any relevant, responsive information.

Dated: April 12, 2001

Gordon Michael Wiram
Gordon Michael Wiram